



City of Hamilton Report for Consideration

To: Chair and Members
Planning Committee

Date: January 13, 2026

Report No: PED26013

Subject/Title: City-Initiated Application for a Zoning By-law
Amendment for Lands Located at 70 Hope Avenue,
Hamilton

Ward(s) Affected: Ward 4

Recommendations

- 1) That **City Initiative CI-25-H**, for a change in zoning from Parking (U3) Zone to Mixed Use Medium Density (C5, 957, H213) Zone to permit a multiple dwelling and multiple dwelling townhouses with a maximum height of four storeys and a maximum of 50 units, on the lands municipally known as 70 Hope Avenue, as shown on Appendix A attached to Report PED26013, **BE APPROVED** on the following basis:
 - a) That the Draft By-law, attached as Appendix B to Report PED26013, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - b) That the proposed change in zoning is consistent with the Provincial Planning Statement (2024);
 - c) That the proposed change in zoning complies with the Urban Hamilton Official Plan; and,
 - d) That the amending By-law apply the Holding Provisions of Section 36(1) of the Planning Act, R.S.O. 1990 to the subject property by including the Holding symbol 'H' to the proposed Mixed Use Medium Density (C5, 957, H213) Zone.

The Holding Provision "H213" is to be removed conditional upon:

- (i) The Owner submits for review and acceptance, a revised Functional Servicing Report (FSR) to demonstrate that there is a stormwater management tank located within the private lands and a suitable storm sewer and sanitary sewer outlet with sufficient capacity within the existing City's alleyway extending to Hope Street to service the proposed development, to the satisfaction of the Director of Development Engineering;
- (ii) The Owner makes satisfactory arrangements to enter into and register on title of the lands an External Works Agreement with the City for the design and construction of the storm sewer and sanitary sewer within the existing City alleyway, at the Owner's cost, to the satisfaction of the Director of Development Engineering; and,
- (iii) The Owner completes a Record of Site Condition, including a notice of acknowledgement of the Record of Site Condition by the Ministry of the Environment, Conservation and Parks, and submission of the City of Hamilton's current Record of Site Condition administration fee, to the satisfaction of the Director of Development Planning.

Key Facts

- The application is for a Zoning By-law Amendment to amend the zoning from the Parking (U3) Zone to the Mixed Use Medium Density (C5, 957, H213) Zone.
- The proposed zoning would permit the development of a multiple dwelling and multiple dwelling townhouses having a maximum height of four storeys and a maximum of 50 dwelling units.
- Should the application be approved, the Corporate Real Estate Office will facilitate the transfer of the lands either through a sale or lease to a non-profit housing provider for the development of affordable housing.
- Staff recommends approval of the Zoning By-law Amendment as shown in Appendix B.

Financial Considerations

Not applicable.

Background

Since 2018, Council has approved several strategies and plans in support of affordable housing, including the Housing Action Plan associated with the Federal Housing Accelerator Fund. On December 13, 2023, Council approved Report HSC23028(a)/PED23099(a), which recommended that the City proceed with the necessary *Planning Act* applications to permit the use of surplus sites, including the subject lands, for affordable housing development prior to disposition of the lands to a non-profit organization.

Analysis

The subject lands, municipally known as 70 Hope Avenue, are located east of Kenilworth Avenue North and west of Archibald Street. The through lot extends between Hope Avenue and Britannia Avenue, with a frontage of 27.37 metres on Hope Avenue, 15.22 metres on Britannia Avenue, and a total area of 0.275 hectares. A public alleyway abuts the westerly boundary of the subject lands for the entire length of the property. The alleyway will remain and is not part of the lands proposed to be developed. An Existing Land Uses and Zoning Chart and a Historical Background and Report Fact Sheet are included in Appendices A-1 and C.

The subject lands are currently zoned for and function as a municipal surface parking lot. The effect of this City-initiated application is to permit the development of the subject lands for affordable housing. To maintain flexibility for future housing providers, the amendment seeks to establish provisions that would support the construction of a multiple dwelling or multiple dwelling townhouses with a maximum height of four storeys and up to 50 dwelling units, and a maximum of 225 square metres of non-residential uses on the ground floor. Flexibility is being provided for the final built form, which could be an apartment building form or stacked townhouses, as shown in the concepts in Appendix D.

In both built form scenarios, 13 surface vehicular parking spaces, inclusive of one barrier-free space, are provided from Britannia Avenue and accessed from the alleyway. An existing 2.44 metre wide surface easement over the subject lands in favour of 263 Britannia Avenue for vehicular access from the municipal laneway will be maintained as shown on the Concept Plan attached as Appendix D.

The ultimate built form typology, site design, and total number of dwelling units will be further refined at the Site Plan Control stage, once an affordable housing provider/developer has been selected.

Provincial Planning Statement (2024)

The Provincial Planning Statement (2024) states that planning authorities should support the achievement of complete communities by accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated childcare facilities), recreation, parks and open space, and other uses to meet long term needs.

The proposal is consistent with the Provincial Planning Statement (2024). A full review of the applicable Provincial Planning Statement (2024) is provided in Appendix E.

Urban Hamilton Official Plan

The subject lands are designated “Mixed Use – Medium Density” on Schedule E-1 – Urban Land Use Designations. The intent of the Mixed Use – Medium Density

designation is to permit a full range of residential, retail, service commercial, and mixed-use buildings at a moderate scale. The proposal aligns with these permissions by introducing affordable housing in a medium density, low-rise form and permitting limited commercial uses.

The proposed built form provides an appropriate transition between the commercial and mixed-use development along Kenilworth Avenue North to the west, and the adjacent low-rise residential dwellings designated “Neighbourhoods” to the east. Through the review of the submitted supporting documents, it has been demonstrated that the proposal does not impose any undue adverse shadow impacts.

The development makes efficient use of existing infrastructure and services, in compliance with the City’s intensification policies. The proposal can be accommodated by the City’s servicing. The existing road network will be able to accommodate the anticipated vehicle trips generated by the proposal. The proximity to transit, cycling infrastructure, and the existing sidewalk network, supports multimodal travel and aligns with the City’s sustainable transportation objectives.

The proposal complies with the Urban Hamilton Official Plan.

Homeside Neighbourhood Plan

Policy F.1.2.11 of the Urban Hamilton Official Plan states that Neighbourhood Plans are policies adopted by Council resolution and do not form part of the Official Plan. Development or redevelopment must conform to the designations and policies in the Neighbourhood Plan. The subject lands are in the Homeside Neighbourhood Plan and are identified as “Commercial and Apartments”, which permits the proposed form of development. A Neighbourhood Plan Amendment is not required for the proposal.

City of Hamilton Zoning By-law No. 05-200

The subject property is zoned Parking (U3) Zone in Zoning By-law No. 05-200 and the proposal is to change the zoning to the Mixed Use Medium Density (C5) Zone. The proposed amendment introduces modifications to facilitate a context-sensitive development that provides a compatible transition between the mixed use corridor along Kenilworth Avenue North and the surrounding low-rise residential neighbourhood (see Appendices B and H). To maintain flexibility for future housing providers, the amendment permits a maximum development potential of a four storey multiple dwelling or multiple dwelling townhouses containing up to 50 dwelling units and also includes permissions and performance standards for limited neighbourhood commercial uses.

A Holding Provision is recommended requiring updates to the Functional Servicing Report, an External Works Agreement for servicing within the alleyway and submission of a Record of Site Condition, as the proposal is for sensitive land uses (residential) on lands where potential contaminating activities have occurred.

Rationale for Recommendation

1. The proposal has merit and can be supported for the following reasons:
 - (i) It is consistent with the Provincial Planning Statement (2024);
 - (ii) It complies with the Urban Hamilton Official Plan; and,
 - (iii) The proposal is compatible with and complementary to the existing and planned land uses in the immediate and surrounding area, and represents good planning by, among other things, creating a compact and efficient urban form, making efficient use of existing infrastructure within the urban boundary, and providing affordable housing options to support the community and the surrounding area.

2. Zoning By-law Amendment

The amendment will enable development that provides a suitable transition between the commercial corridor along Kenilworth Avenue North and the adjacent low-rise residential neighbourhood. The proposal is compatible with the surrounding context, represents good planning, and complies with the Urban Hamilton Official Plan. The recommended Holding Provisions will ensure the development satisfies the City's requirements related to servicing and site conditions.

Based on the foregoing and the analysis provided in Appendix E and Appendix H, staff support the proposed Zoning By-law Amendment.

Alternatives

Should the application be denied, the subject lands would remain zoned Parking (U3) under the City of Hamilton Zoning By-law No. 05-200 and can continue to operate as a surface parking lot.

Relationship to Council Strategic Priorities

Priority 1: Sustainable Economic & Ecological Development

1.2 Facilitate the growth of key sectors.

Priority 2: Safe & Thriving Neighbourhoods

2.1 Increase the supply of affordable and supportive housing and reduce chronic homelessness

Previous Reports Submitted

- Properties and Process for Disposition of Lands for Affordable Housing ([PED17219\(a\)](#)) (City Wide), June 18, 2019, Affordable Housing Site Selection Subcommittee

- Canadian Mortgage and Housing Corporation Housing Accelerator Fund ([HSC23017\(a\)/FCS23062\(a\)/PED23143\(a\)](#)), October 18, 2023, General Issues Committee
- Housing Sustainability and Investment Roadmap Work Program: City Property Review and Property Disposition Strategies ([PED23099\(a\)/HSC23028\(a\)](#)) (City Wide), December 6, 2023, General Issues Committee
- Housing Sustainability and Investment Roadmap 2024 Annual Update and 2025 Objective Setting ([HSC23028\(f\)/FCS23055\(d\)/PED23099\(g\)](#)), November 20, 2024, General Issues Committee

Consultation

- The applications were circulated to internal departments and external agencies. Comments are provided in Appendix F.
- On March 26, 2025, prior to the submission of the application, the Municipal Land Development Office hosted a drop-in open house event. Approximately 100 members of the public attended the event.
- In addition to the requirements of the *Planning Act*, a Notice of Complete Application was mailed to property owners within 240 metres of the subject property. The Notice was also advertised in the local newspaper and a public notice sign was posted on the subject property. The Notice of Public Meeting was mailed to property owners within 240 metres of the subject property on January 2, 2026. To date, three emails have been received from residents which have been included in Appendix G.

Appendices and Schedules Attached

Appendix A: Location Map

Appendix A-1: Existing Land Uses and Zoning Chart

Appendix B: Zoning By-law Amendment

Appendix C: Historical Background and Report Fact Sheet

Appendix D: Concept Plan

Appendix E: Policy Review

Appendix F: Staff and Agency Comments

Appendix G: Public Comments Received

Appendix H: Zoning By-law Modification Chart

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